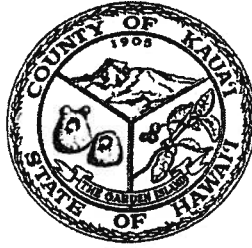


COUNTY COUNCIL

Jay Furfaro, Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Ricky Watanabe, County Clerk
Jade K. Fountain-Tanigawa, Deputy County Clerk


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Council Services Division
4396 Rice Street, Suite 209
Līhu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

November 8, 2013

TO: Bernard P. Carvalho, Jr., Mayor

FROM: Jay Furfaro, Council Chair 

RE: **NOVEMBER 6, 2013 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its November 6, 2013 Council Meeting:

CONSENT CALENDAR:

C 2013-352 Communication (10/07/2013) from the Environmental Services Management Engineer, transmitting for Council consideration, proposed amendments to Section 21-9.2(d) of the Kaua'i County Code 1987, as amended, relating to Integrated Solid Waste Management. *(Received for the Record.)*

C 2013-353 Communication (10/22/2013) from the Mayor, transmitting for Council consideration, pursuant to Sections 89-10(b) and 89C-5, Hawai'i Revised Statutes (HRS), the cost items for Hawai'i Government Employees Association (HGEA) Bargaining Unit 13 between July 1, 2013 and June 30, 2017, pursuant to Section 19.13(B) of the Kaua'i County Charter. *(Received for the Record.)*

C 2013-354 Communication (10/24/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Fiscal Year 2013-2014 Operating Budget, by Revising the Amounts Estimated in the General Fund, Solid Waste Fund, Sewer Fund, Golf Fund, Highway Fund, Housing and Community Development Fund, Kalepa Housing Fund, and Pa'anau Housing Fund. *(Received for the Record.)*

COMMUNICATIONS:

C 2013-351 Communication (10/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to \$40,000 for Special Counsel's continued services provided in County of Kaua'i vs. Michael Guard Sheehan, et al., Civil No. 11-1-0098 (Condemnation), Fifth Circuit Court, and related matters. *(Approved.)*

C 2013-355 Communication (10/01/2013) from Council Chair Furfaro, requesting the presence of the County Engineer, to participate in a discussion with State Officials on the status of the State Reservoirs that were closed in recent years pursuant to the Dam Safety Act of 1987. ***(Received for the Record.)***

C 2013-356 Communication (10/02/2013) from Council Vice Chair Nakamura, requesting Council consideration to release the County Attorney opinion dated September 3, 2013 relating to "Whether the County has the legal authority to establish a Cat License Fee." ***(Approved.)***

C 2013-357 Communication (10/08/2013) from the Housing Director, requesting Council approval to sell a residential unit located at 9661 Haina Road, Waimea, which was developed under the Neighborhood Stabilization Program (NSP), TMK: (4) 1-2-008-007-0001, by leasehold to a participant on the Affordable Housing Program Waitlist whose household income does not exceed 120% of the Kaua'i Median Household Income (KMHI), and to authorize the County Clerk to sign legal documents related to this transaction. ***(Approved.)***

C 2013-358 Communication (10/09/2013) from the Housing Director, requesting Council approval to decline the repurchase of property in Ho'okena at Puhi, 2080 Manawalea Street, Unit No. 708, Līhu'e, Hawai'i, and grant the owner a one-year waiver of the buyback to allow a market sale by the owner. ***(Approved.)***

C 2013-359 Communication (10/11/2013) from the Budget and Purchasing Director, transmitting for Council information, the First Quarter Statement of Equipment Purchases for Fiscal Year 2013-2014, pursuant to Section 17 of Ordinance No. B-2013-753, the Operating Budget of the County of Kaua'i for Fiscal Year 2013-2014. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2013-360 Communication (10/15/2013) from the Director of Parks and Recreation, recommending Council approval of a Second Amendment to Purchase Agreement Dated May 17, 2010, made by and between the County of Kaua'i and the Apartment Owners of Kapa'a Sands to amend the closing date from sixty (60) days to one hundred twenty (120) days following subdivision approval. ***(Approved.)***

CLAIMS:

C 2013-361 Communication (10/18/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Tracie K. Sakamoto, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-362 Communication (10/29/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Farmers Insurance of Hawai'i, Inc. as subrogee of Miyoshi Matsuda, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

RESOLUTION:

Resolution No. 2013-72 – RESOLUTION TO IMPLEMENT AN ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS STUDY (EPHIS), VIA FORMATION OF A PESTICIDE AND GENETIC ENGINEERING JOINT FACT FINDING GROUP (JFFG) *(Referred to the December 11, 2013 Committee of the Whole Meeting.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2509) – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2(D) OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT *(Approved on 1st reading, Public Hearing scheduled for 12/04/2013, and referred to the Environmental Services / Public Safety / Community Assistance Committee.)*

Proposed Draft Bill (No. 2510) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 13 BETWEEN JULY 1, 2013 AND JUNE 30, 2017 *(Approved on 1st reading, Public Hearing scheduled for 12/04/2013, and referred to the Committee of the Whole.)*

Proposed Draft Bill (No. 2511) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, SOLID WASTE FUND, SEWER FUND, GOLF FUND, HIGHWAY FUND, HOUSING AND COMMUNITY DEVELOPMENT FUND, KALEPA HOUSING FUND, AND PAANAU HOUSING FUND *(Approved on 1st reading, Public Hearing scheduled for 12/04/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council
Via E-mail: KCT Department Heads
KCT CCs
Staff